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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/299,724	04/27/1999	JONATHAN KAGLE	03797.78520	3637

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EXAMINER

HUYNH, CONG LAC T

ART UNIT PAPER NUMBER

2176

DATE MAILED: 08/23/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/299,724

Applicant(s)

KAGLE, JONATHAN

Examiner

Cong-Lac Huynh

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 April 1999.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-61 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-61 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2. 6) ☐ Other:

DETAILED ACTION

1. This application is responsive to Application and the IDS filed 4/27/99.

Claim Objections

2. Claims 11, 20, 42 are objected to because of the following informalities: there is no period at the end of the claims. Appropriate correction is required.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claims 21-22 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding claims 21-22, which are dependent on claim 16, it appears that Applicants mean these claims are dependent on claim 17. If claims 21-22 are dependent on claim 17 instead of claim 16, the group of method claims 17-22 have a correspondent group of computer-readable medium claims 39-44.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and

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the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 1-61 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ferris et al. (US Pat No. 5,937,418, 8/10/99, filed 7/1/97).

Regarding independent claim 1, Ferris discloses uploading a finished web page layout to a server, the finished web page layout including at least one selected layout template (figure 5, #88, #96; col 5, line 58 to col 6, lines 1-15, 21-47, the page created with the selected title template is for presentation to user; the fact that the web client requests for update information from the server inherently shows that a web page with the added data is uploaded to the server before being presented to users).

Ferris does not explicitly disclose selecting a style template for a predetermined region of a web page layout, the selected style template including at least one HTML code defining a style of the style template.

Instead Ferris discloses selecting a template for a title written in HTML (col 5, lines 41-67; col 6, lines 21-36, a user selects a title template by clicking on the word "Title 1" then the title file will be inserted into the template for creating the web page).

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to have modified Ferris to include selecting a style template for a predetermined region of a web page layout, the selected style template including at least one HTML code defining a style of the style template because of the following reason. The title is considered as a predetermined region of the web page layout since it was well known that a title was in the top region of a web page. The fact that the

template, a style sheet written, for instance, in HTML, into which documents or data files are inserted for a stylized presentation by the presenter (col 5, lines 46-50) shows that the template includes at least one HTML code for defining the style of the template.

Regarding claim 2, which is dependent on claim 1, Ferris does not disclose that the predetermined region of the web page layout is a *horizontal region spanning an entire width* of the web page layout.

However, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to have modified Ferris to include that the predetermined region of the web page is a horizontal region since it was well known in the art that any title (as mentioned in claim 1) takes a horizontal space. Further, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to have modified Ferris to include spanning the title to the entire width of the web page layout since it was well known in the art that enlarging the title to some degree can make it take the entire width of the web page layout.

Regarding claim 3, which is dependent on claim 1, Ferris does not disclose inserting the information related to the style of the template into the space before the step of uploading the finished web page layout.

Instead Ferris discloses the summary file inserted in the template for presenting to users (col 6, lines 3-20; figure 4). It would have been obvious to one of ordinary skill in the art at the time of the invention was made to have modified Ferris to include inserting

the information related to the style of the template into the space before the step of uploading the finished web page layout since the summary file may contain information related to the web page including the style of the layout of the web page.

Regarding claims 4 and 5, which are dependent on claim 3, Ferris discloses the information related to the style of the template is a title and textual information (refer to claim 1).

Regarding claim 6, which is dependent on claim 3, Ferris discloses that the information related to the style of the template include hypertext link information (col 5, lines 46-57).

Regarding claim 7, which is dependent on claim 3, Ferris does not disclose that the information related to the style of the template includes at least two of image information, graphical information, textual information and audio information.

However, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to have modified Ferris to include at least two of image information, graphical information, textual information and audio information since it was well known in the art that a web page was a hypermedia document including text, graphics, and audio data.

Regarding claim 8, which is dependent on claim 3, Ferris discloses that the information related to the style of the style template is a pointer to a file containing information that

is to be inserted into the selected template (col 6, lines 21-36, inserting the called file into the template inherently discloses that the program for performing that function includes the pointer to the called file to be inserted into the template).

Regarding claims 9-11, which are dependent on claim 8, Ferris does not disclose that the file contains image information, graphical information, and audio information.

However, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to have modified Ferris to include the image, graphics and audio information in the file since it was well known in the art that a web page is a hypermedia document which may include text, image, and audio.

Regarding claim 12, which is dependent on claim 1, Ferris discloses that the selected style template *is one of* a title template, a text template, an audio template, a picture template, a parallel column template and a navigational bar template (col 6, lines 21-36, the selected template *is the title template* since the title file is called to be inserted in the template).

Regarding claim 13, which is dependent on claim 1, Ferris does not disclose that the step of selecting the style template includes a step of selecting a graphical icon representing the style of the template. However, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to have modified to include in Ferris selecting a graphical icon representing the style of the template since it was

well known that a web page is a hypermedia document which includes text, graphics, and audio data, and Ferris does teach that the HTML file includes tables and graphs (col 4, lines 42-53, the system performs minor formatting...insuring that tables or graphs are stored in an appropriate manner). The graph feature suggests that the graph is one of the template styles and a graphical icon representing the style of the template.

Regarding claim 14, which is dependent on claim 1, Ferris does not explicitly disclose concatenating a plurality of selected style templates to generate the finished web page layout.

Instead Ferris discloses storing templates and data files rather than complete fully formatted pages (col 7, lines 15-28).

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to have modified Ferris to include concatenating a plurality of selected style templates to generate the finished web page layout because in Ferris the fact that storing the templates and data files instead of complete fully formatted pages suggests that a fully formatted page be created by including a plurality of templates with associated data files.

Regarding claim 15, which is dependent on claim 1, Ferris does not explicitly disclose recording a finished web page layout as a macro style template. However, as mentioned on claim 14, Ferris suggests creating fully formatted pages by including a plurality of templates for parts of a web page.

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It would have been obvious to one of ordinary skill in the art at the time of the invention was made to have modified Ferris to include recording a finished web page layout as a macro style template since a fully formatted page created by *including a plurality of templates* is considered a finished web page layout with a macro template, and since it was well known in the art that once data is created, the data must be stored for later use. In other words, recording such a finished web page layout must be performed.

Regarding claim 16, which is dependent on claim 15, Ferris discloses:

- selecting a template (col 5, lines 45-67)
- inserting data related to the style of each style template (col 5, lines 45-67; col 6, lines 21-45, insert the title file into the title template)
- uploading a finished web page layout to the server, the finished web page layout formed from the macro style template (col 5, line 58 to col 6, lines 1-2, 31-36, the fact that the web page created from a plurality of templates is presented to users inherently discloses that the page is uploaded to the server prior being sent to users)

Ferris does not disclose:

- selecting a macro style template
- inserting information related to the style of each style template forming the macro style template

However, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to have modified Ferris to include selecting a macro style template and inserting information related to the style of each style template forming the macro

style template because of the following reason. Ferris provides the ability of *selecting a template and inserting data into said template*. Ferris, therefore, suggests the ability of selecting a macro template and inserting data related to the style of each style template forming the macro style template since *a macro style template is merely a template of series of templates* and inserting is repeated for many templates in the same manner as for one template.

Regarding claim 21, which is dependent on claim 16, Ferris does not explicitly disclose that *the macro style template* includes a style template that is one of a title template, a text template, an audio template, a picture template, a parallel column and a navigational bar template.

However, Ferris discloses that *the style template* includes a style template that is *one of* a title template, a text template, an audio template, a picture template, a parallel column and a navigational bar template (col 6, lines 21-36, the selected template is the title template since the title file is called to be inserted into the template).

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to have modified Ferris to include said feature of the macro style template since *a macro style template is merely a template of series of templates*.

Regarding claim 22, which is dependent on claim 16, Ferris does not explicitly disclose selecting a graphical icon representing the macro style template. However, it would have been obvious to one of ordinary skill in the art at the time of the invention was

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made to have modified to include in Ferris selecting a graphical icon representing the macro style template since it was well known that a web page is a hypermedia document which includes text, graphics, and audio data, and Ferris does teach that the HTML file includes tables and graphs (col 4, lines 42-53, the system performs minor formatting...insuring that tables or graphs are stored in an appropriate manner). The graph feature suggests that the graph is one of the template styles and a graphical icon representing the style of the template. Further, as stated above, *a macro style template is merely a template of series of templates*. Therefore, if a template can be represented by a graphical icon, then a set of templates can be represented by said graphical icon.

Regarding independent claim 17, Ferris does not explicitly disclose selecting a macro style template for a web page layout, the macro style template including at least one style template for a predetermined region of the web page layout, each selected style template including at least one HTML code defining a style of the style template

Instead Ferris discloses:

- selecting a template for a title (col 5, lines 45-67; col 6, lines 21-36)
- uploading a finished web page layout to the server, the finished web page layout formed from the macro style template (col 5, line 58 to col 6, lines 1-2, 31-36, the fact that the web page created from a plurality of templates is presented to users inherently discloses that the page is uploaded to the server prior being sent to users)

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to have modified Ferris to include selecting a macro style template and inserting information related to the style of each style template forming the macro style template because of the following reason. Ferris provides the ability of selecting a *title template* and inserting data into said template. Ferris, therefore, suggests the ability of selecting a macro style template for a web page layout where the macro style template including at least one style template for a predetermined region of the web page layout since *a macro style template is merely a template of series of templates, and the title can be considered as a predetermined region of the web page layout*. In addition, since the template is for a HTML document, the template must include HTML code for defining the style template.

Regarding claim 18, which is dependent on claim 17, Ferris does not explicitly disclose that the predetermined region of the web page layout is a horizontal region spanning an entire width of the web page layout.

However, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to have modified Ferris to include that the predetermined region of the web page is a horizontal region since it was well known in the art that any title takes a horizontal space. Further, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to have modified Ferris to include spanning the title to the entire width of the web page layout since it was well known in the art that

enlarging the title to some degree can make it take the entire width of the web page layout.

Regarding claim 19, which is dependent on claim 17, Ferris does not disclose inserting the information related to the style of the template into the space before the step of uploading the finished web page layout.

Instead Ferris discloses the summary file inserted in the template for presenting to users (col 6, lines 3-20; figure 4). It would have been obvious to one of ordinary skill in the art at the time of the invention was made to have modified Ferris to include inserting the information related to the style of the template into the space before the step of uploading the finished web page layout since the summary file may contain information related to the web page including the style of the layout of the web page.

Regarding claim 20, which is dependent on claim 19, Ferris discloses that the information related to the style of the style template *is one of* a title, text, a pointer to a file containing image information, a pointer to a file containing graphical information, a pointer to a file containing audio information, and hypertext link information (col 6, lines 21-36, the title file is information to be inserted into the selected template).

Claims 23-38 are for a computer-readable medium of method claims 1-16, and are rejected under the same rationale.

Claims 39-42 are for a computer-readable medium of method claims 17-20, and are rejected under the same rationale.

Claims 43-44 are for a computer-readable medium of method claims 21-22, and are rejected under the same rationale.

Regarding independent claim 45, Ferris discloses:

- displaying a plurality of style templates on a display, each style template representing a layout style for a predetermined region of a web page layout (figure 1, #24 Web Presenter, #26 Template Set; figure 2, #26 Template set, #28, Browser; col 7, lines 15-27, storing templates of different parts of a web page for dynamically creating a web page inherently shows that these templates must be displayed for selecting)
- receiving a style template selection signal indicative of a user interface selection device pointing at a selected style template on the display (figure 5, #82 Select Appropriate Template, #90 Received hyperlink request from page presented?)
- displaying the style layout for the predetermined region of the web page layout in response to the received style template selection signal (figure 5, #82 Select appropriate template, #88 and #96, Present page)

Ferris does not disclose that the selected style template associated with at least one HTML code defining a style of the style template. Instead Ferris discloses that the

template, a style sheet written, for instance, in HTML, into which documents or data files are inserted for a stylized presentation by the presenter (col 5, lines 46-50).

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to have modified Ferris to include the selected style template associated with at least one HTML code defining a style of the style template since the fact that the template, which is a style sheet, in HTML suggests that the code for defining the style of the template be the HTML code.

Regarding claim 46, which is dependent on claim 45, Ferris discloses:

- selecting a template (col 5, lines 45-67)
- uploading a finished web page layout to the server, the finished web page layout including at least on selected style template (col 5, line 58 to col 6, lines 1-2, 31-36; col 7, lines 15-27; figure 5; the fact that a *web page created from a plurality of templates* is presented to users inherently discloses that the page is uploaded to the server prior being presented to users)

Ferris does not disclose:

- displaying an uploading layout command selection on the display
- receiving an uploading layout entry selection signal indicative of the user interface device pointing at the uploading layout entry command selection

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to have modified Ferris to include the steps of “displaying ...” and “receiving....”, into Ferris since the fact that Ferris discloses selecting a template

inherently shows that Ferris includes displaying uploading layout commands for selecting and the selection signal when a user selects a template.

Claims 47-61 include the same limitations as in claims 2-16, and are rejected under the same rationale.

Conclusion

1. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Yasumura (US Pat No. 6,192,363 B1, 2/20/01, filed 6/25/98).

Rosin et al. (US Pat No. 6,397,387 B1, 5/28/02, filed 6/2/97).

Ferris et al. (US Pat No. 6,253,228 B1, 6/26/01, filed 3/31/97).

Benedikt et al. (US Pat No. 5,966,535, 10/12/99, filed 12/7/95).

Appleman et al. (US Pat No. 6,195,681 B1, 2/27/01, filed 8/6/98).

Bernardo et al. (US Pat No. 6,185,587 B1, 2/6/01, filed 6/19/98).

Stedman et al. (US Pat No. 6,122,661, 9/19/00, filed 4/29/99, priority 12/9/96).

Adams et al., *Template Style Considerations for Sea-of-Gates Layout Generation*, ACM, 1969, pages 31-36.


Fernandez et al., *Catching the Boat with Strudel: Experiences with a Web-Site Management System*, ACM, 1998, pages 414-425.

2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cong-Lac Huynh whose telephone number is 703-305-0432. The examiner can normally be reached on Mon-Fri (8:30-6:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather Herndon can be reached on 703-308-5186. The fax phone numbers for the organization where this application or proceeding is assigned are 703-746-7239 for regular communications and 707-746-7238 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-9000.

clh
August 12, 2002


STEPHEN S. HONG
PRIMARY EXAMINER